

On May 18, 1928, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$5.

ARTHUR M. HYDE, *Secretary of Agriculture.*

15835. Adulteration of canned raspberries. U. S. v. 220 Boxes of Canned Raspberries. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22658. I. S. No. 15730-x. S. No. 613.)

On March 24, 1928, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 220 boxes of raspberries, remaining unsold in the original packages at Detroit, Mich., alleging that the article had been shipped by the Red Wing Co., from Fredonia, N. Y., August 1, 1927, and transported from the State of New York into the State of Michigan, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Red Wing Brand Columbian Red Raspberries * * * Manufactured and Guaranteed by The Red Wing Company, Inc. Fredonia, N. Y."

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, or putrid vegetable substance.

On June 8, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

15836. Adulteration of sweetened condensed milk. U. S. v. 8 Cases of Sweetened Condensed Milk. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22091. I. S. No. 14888-x. S. No. 136.)

On October 11, 1927, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 8 cases of sweetened condensed milk at San Juan, P. R., alleging that the article had been shipped by Libby, McNeill & Libby, New York, N. Y., on or about March 5, 1927, and transported from the State of New York into the Territory of Porto Rico, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Leche Condensada endulzada, Libby, McNeill & Libby, Chicago, * * * Libby's—Lolita—Tamono No. 3."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On November 25, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

15837. Adulteration and misbranding of olive oil. U. S. v. 1 Can, et al., of Olive Oil. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 22466, 22468, 22477, 22478, 22479, 22480, 22481, 22613, 22614, 22615, 22618. I. S. Nos. 23399-x, 23400-x, 23401-x, 23408-x, 23413-x, 23414-x, 23415-x, 23416-x, 23417-x, 23398-x, 23402-x, 23405-x, 23407-x. S. Nos. 588, 595, 648, 649, 650, 651.)

On February 23, February 25, and March 9, 1928, respectively, the United States attorney for the Eastern District of Texas, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 23 cans of olive oil, remaining in the original unbroken packages in part at Beaumont, Texas, and in part at Port Arthur, Texas, alleging that the article had been shipped from Taormina Bros., New Orleans, La., between the dates of November 30, 1927, and January 18, 1928, and had been transported from the State of Louisiana into the State of Texas, and charging adulteration and misbranding in violation of the food and drugs act as amended. A portion of the article was labeled: "Pure Olive Oil Packed in Italy Taormina Bros. Net Contents 6 Gallons." A portion of the said article was labeled: "Pure Olive Oil La Giardiniera Packed in Italy expressly for Taormina Bros. by Eustachio Taormina & Figli, Sicily Partanna, Italy Net Contents six Gallons." A portion of the said article was shipped as olive oil in unlabeled 5-gallon cans.

It was alleged in the libels that the article was adulterated in that cottonseed oil had been mixed and packed with and substituted in whole or in part for olive oil.